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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/496,038	02/01/2000	Masahiro Kato	914-108	5618

7590 10/06/2003

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8th Floor  
1100 North Glebe Road  
Arlington, VA 22201-4714

EXAMINER

DAVIS, TEMICA M

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 10/06/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**09/496,038**

Applicant(s)  
**Kato**

Examiner  
**Temica M. Davis**

Art Unit  
**2681**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb 1, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 5-20 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Morrar, U.S. Patent No. 6,418,304.

Regarding claim 1, Morrar discloses a satellite broadcasting receiver receiving a signal radio wave from a broadcasting satellite (col. 2, lines 55-62), comprising: first to nth (where n is an integer equal to or larger than 2) amplifiers respectively amplifying first to nth signals

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extracted from said signal radio wave; a connection node supplied with outputs from said first to nth amplifiers; and a power supply control circuit controlling said first to nth amplifiers to set a current flowing through one of said first to nth amplifiers at a prescribed value and set currents flowing through all the other amplifiers at 0 such that an output from said one amplifier is transmitted through said connection node (col. 7, lines 25-44; figures 6, 8 and 9).

Regarding claim 2, Morrar discloses the satellite broadcasting receiver according to claim 1, further comprising a (n+1)th amplifier for amplifying an output transmitted from said connection node (col. 6, line 58-col. 7, line 15; figure 6).

Regarding claim 3, Morrar discloses the satellite broadcasting receiver according to claim 2, wherein each of said first to (n+1)th amplifiers includes a high electron mobility transistor (col. 7, lines 38-42).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morrar in view of admitted prior art.

Regarding claim 4, Morrar discloses the satellite broadcasting receiver according to claim 2 as described above.

Morrar, however, fails to disclose the receiver further comprising a frequency converting circuit converting an output from said (n+1)th amplifier to an intermediate frequency signal.

However, as admitted by the applicant such a feature is well known in the art (page 11, lines 5-13).

Therefore, at the time of invention, it would have been obvious to a person of ordinary skill in the art to modify Morrar with the teachings of the admitted prior art for the purpose of reducing the received frequency of the signal in order to further process the signal.

***Allowable Subject Matter***

5. Claims 5-20 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter: Regarding independent claims 5, 11, 14, 15, 17 and 19, prior art fails to suggest or render obvious a satellite broadcast receiver with the node and amplifiers connections as described.

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***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jung, U.S. Patent No. 5,369,780, discloses amplifying and phase shifting vertical and horizontal polarized signals for the frequency converting satellite broadcast receptions.

Verheijen et al, U.S. Patent No. 5,068,918, discloses a receiver for terrestrial AM and satellite FM-TV broadcasting signals.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Temica M. Davis whose telephone number is (703) 306-5837. The examiner can normally be reached on Monday-Thursday from 6:45 am to 3:15 pm. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Sinh Tran, can be reached on (703) 305-4040.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC2600 Customer Service at (703) 306-0377.

**Any response to this communication should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC 20231

**Or faxed to:**

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(703) 872-9314 (for any communications intended for entry).

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).*

Temica M. Davis

September 29, 2003

  
**TEMICA M. DAVIS**  
**PATENT EXAMINER**